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SENATE

{ REPORT
106-117

PENNSYLVANIA BATTLEFIELDS PROTECTION ACT OF 1999

JULY 21, 1999.—Ordered to be printed

Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 581]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 581) to protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes, having considered the same, reports favorably thereon with an amendment and an amendment to the title and recommends that the bill, as amended, do pass.

The amendments are as follows:

1. Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pennsylvania Battlefields Protection Act of 1999”.

TITLE I—PAOLI AND BRANDYWINE BATTLEFIELDS

SEC. 101. DEFINITIONS.

In this title:

(1) BRANDYWINE BATTLEFIELD.—The term “Brandywine Battlefield” means land in an area generally known as the Meetinghouse Road Corridor, located in Chester County, Pennsylvania, as depicted on the Brandywine map.

(2) BRANDYWINE MAP.—The term “Brandywine map” means the map entitled “Brandywine-Meetinghouse Road Corridor”, numbered 80,000 and dated April 1999.

(3) PAOLI BATTLEFIELD.—The term “Paoli Battlefield” means the area located in the borough of Malvern, Pennsylvania, as generally depicted on the Paoli map.

(4) PAOLI MAP.—The term “Paoli map” means the map entitled “Paoli Battlefield”, numbered 80,000 and dated April 1999.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Pennsylvania.

(7) PARK.—The term “Park” means the Valley Forge National Historical Park.

SEC. 102. SPECIAL RESOURCE STUDY.

(a) **IN GENERAL.**—Not later than 6 months after the date funds are made available, the Secretary shall complete a special resource study on the Paoli Battlefield and not later than 18 months after the date funds are made available, the Secretary shall complete a special resource study on the Brandywine Battlefield, as described in subsection (b). In conducting the studies, the Secretary shall consult with the State, the borough of Malvern, the Brandywine Conservancy and other interested groups and organizations.

(b) **COMPONENTS.**—The resource studies described in subsection (a) shall—

(1) identify the full range of resources and historic themes associated with the Brandywine Battlefield and the Paoli Battlefield, including the relationship of resources and historic themes to the American Revolutionary War and the Valley Forge National Historical Park; and

(2) identify the alternatives for National Park Service involvement at the sites, including cost estimates for any necessary acquisition, development, interpretation, operation, and maintenance associated with the alternatives identified.

(c) **REPORT.**—Not later than 10 days after the completion of the studies, the Secretary shall submit a report describing the findings and recommendations of the study to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the United States House of Representatives.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE II—VALLEY FORGE NATIONAL HISTORICAL PARK**SEC. 201. FINDINGS AND PURPOSE.**

(a) **FINDINGS.**—Congress finds that—

(1) Valley Forge National Historical Park was established as a unit of the National Park System in 1976;

(2) the National Park Service acquired various land and structures associated with the Park, including a visitor center, from the State of Pennsylvania;

(3) the Park maintains an extensive collection of—

(A) artifacts, books, and other documents associated with the Continental Army's winter encampment during 1777 and 1778 at Valley Forge;

(B) Revolutionary War-era artifacts of military life;

(C) important archaeological resources; and

(D) numerous structures and associated artifacts;

(4) during the period 1982 and 1997, the National Park Service completed a general management plan, a long-range interpretive plan, and a strategic business plan that established goals and priorities for management of the Park;

(5) the plans described in paragraph (4)—

(A) identify inadequacies in the visitor center and interpretive programs of the Park;

(B) call for the development of a new or significantly renovated visitor center that would make the Park's collection accessible to the public through exhibits and research facilities; and

(C) call for improvements to the interpretation of the landscape and the circulation into and through the Park;

(6) the Valley Forge Historical Society was established in 1918 as a nonprofit organization to preserve and interpret for future generations the significant history and artifacts of the American Revolution in their historic setting at Valley Forge;

(7) the Society has amassed valuable holdings of artifacts, art, books, and other document relating to the encampment of Washington's Continental Army at Valley Forge during 1777 and 1778, the American Revolution, and the American colonial era;

(8) the Society continues to acquire additional important collections through bequests, exchanges, and other acquisitions;

(9) the Society's collection is housed in a facility that is inadequate to properly maintain, preserve, and display the ever growing collection;

(10) the Society would like to develop an up-to-date museum and education facility;

(11) the Society and the National Park Service have discussed the idea of a joint museum, education, and visitor facility that would directly support the historical, educational, and interpretive activities and needs of the Park and the Society;

(12) the joint facility described in paragraph (11) would—

- (A) combine 2 outstanding museum collections; and
 - (B) provide an enhanced experience at Valley Forge for visitors, scholars, and researchers; and
 - (13) the Society has submitted a proposal to raise funds to construct a new museum, education, and visitor center on Park property that would be planned, developed, and operated jointly with the Park.
- (b) PURPOSE.—The purpose of this title is to authorize the Secretary of the Interior to enter into an agreement with the Society to construct and operate a museum within the boundary of the Park.

SEC. 202. DEFINITIONS.

In this title:

- (1) MUSEUM.—The term “Museum” means the Valley Forge Museum of the American Revolution.
- (2) PARK.—The term “Park” means the Valley Forge National Historical Park.
- (3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (4) SOCIETY.—The term “Society” means the Valley Forge Historical Society.

SEC. 203. VALLEY FORGE MUSEUM OF THE AMERICAN REVOLUTION AUTHORIZATION.

(a) VALLEY FORGE MUSEUM AGREEMENT.—The Secretary, in administering the Park, is authorized to enter into an agreement with the Society to facilitate the planning, construction, and operation of the Museum on Federal land within the Park.

(b) SPECIFIC PURPOSES OF AGREEMENT.—The agreement described in subsection (a) shall—

- (1) authorize the Society—
 - (A) to operate the Museum in cooperation with the Secretary;
 - (B) to provide Museum programs and services related to the story of Valley Forge and the American Revolution to visitors to the Park;
 - (C) to engage, as a nonprofit organization, in activities appropriate for the operation of a museum that may include—
 - (i) charging fees;
 - (ii) conducting events; and
 - (iii) selling merchandise, tickets, and food to visitors to the Museum;
 - and
 - (D) to occupy any structure constructed for the term specified in the agreement described in subsection (a), subject to—
 - (i) the conveyance by the Society to the United States of the right, title, and interest in any structure to be constructed at the Park; and
 - (ii) the right of the Society, that shall not be transferred or conveyed without the express consent of the Secretary, to occupy and use and structure—
 - (I) for the exhibition, preservation, and interpretation of artifacts associated with the Valley Forge story and the American Revolution;
 - (II) to enhance visitor experience to the Park;
 - (III) to conduct appropriately related activities of the Society consistent with its mission; and
 - (iii) any other terms and conditions as may be determined by the Secretary;
 - (2) authorize the Secretary to undertake at the Museum activities related to the management of the Park, including the provision of appropriate visitor information, interpretive facilities, and programs related to the Park; and
 - (3) provide that the Society’s revenues from the Museum’s facilities and services shall be used to offset the expenses of the operation of the Museum.

SEC. 204. PRESERVATION AND PROTECTION.

Nothing in the title authorizes the Secretary or the Society to act in derogation of the preservation and protection of the values and resources of the Park.

2. Amend the title so as to read: “A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of the inclusion of the Brandywine Battlefield and the Paoli Battlefield in the National Park System as part of Valley Forge National Historical Park, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.”

PURPOSE OF THE MEASURE

The purpose of S. 581, as ordered reported, is to authorize the Secretary of the Interior to conduct special resource study to assess the full range of resources and historic themes associated with the Brandywine Battlefield and the Paoli Battlefield as well as alternatives for National Park Service involvement at the two battlefield sites in the Commonwealth of Pennsylvania.

S. 581 also authorizes the Secretary of the Interior to enter into an agreement with the Valley Forge Historical Society to facilitate the planning, construction and operation of a museum at Valley Forge National Historical Park.

BACKGROUND AND NEED

Paoli Battlefield.—In September 1777, a British military force of over 18,000 invaded Pennsylvania with the intent of capturing the city of Philadelphia. General George Washington ordered Anthony Wayne's brigade of approximately 2,000 soldiers to move behind the British lines to harass its supply train. While Wayne was in Paoli in Malvern, Pennsylvania, his troops were attacked by a British force of about 1,200 soldiers. At least 53 Americans were killed, over 150 were wounded and 71 were captured. Local farmers buried the American dead at the edge of the battlefield.

The Paoli Battlefield property is privately owned by the Malvern Preparatory School and officials intend to see the land in order to strengthen the school's endowment. However, they have agreed to provide the local community the opportunity to purchase the land for historical preservation purposes.

Brandywine Battlefield.—During the 1777 British campaign to capture Philadelphia, British General William Howe defeated General George Washington's Continental Army of 12,500 soldiers on the banks of Brandywine Creek.

The Meetinghouse Road Corridor, adjacent to the state-owned Brandywine Battlefield and National Historic Landmark, was the location of the largest engagement of the American Revolution. The Meetinghouse Road Corridor section of the battlefield site is privately owned and is currently threatened by development.

Valley Forge National Historical Park.—Valley Forge was the site of the Continental Army's winter encampment, 1777–78. It contains General Washington's headquarters, original earthworks, monuments and markers and reconstructed log structures. The former state park was designed at the Valley Forge National Historical Park on July 4, 1976. Boundary changes were made in 1980. The part currently includes approximately 3,466 acres, of which approximately 3,000 are federally owned.

The existing park museum is inadequate and antiquated. The Valley Forge Historical Society, a park "friends" group and non-profit organization, is willing to assist the park to facilitate the planning, construction and operation of a new museum.

LEGISLATIVE HISTORY

S. 581 was introduced by Senator Specter on March 10, 1999. The Subcommittee on National Parks, Historic Preservation and Recreation held a hearing on S. 581 on April 22, 1999.

At its business meeting on June 30, 1999, the Committee on Energy and Natural Resources ordered S. 581, favorably reported, as amended.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on June 16, 1999, by a unanimous voice vote of a quorum present, recommends that the Senate pass S. 581, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 581, the Committee adopted an amendment in the nature of a substitute, and an amendment to the title.

In addition to making several technical, clarifying and conforming changes, the amendment directs the Secretary of the Interior to conduct a special resource study to identify the full range of resources and historic themes associated with the Brandywine Battlefield and the Paoli Battlefield as well as identify the alternatives for National Park Service involvement at the battlefield sites. The amendment also removes the financial assistance provision included in S. 581 as introduced.

The amendment also authorizes the Secretary of the Interior to enter into an agreement with the Valley Forge Historical Society to facilitate the planning, construction and operation of a new museum within the park.

The title was amended to reflect the revised purposes of the bill.

SECTION-BY-SECTION ANALYSIS

Section 1: designates the bill's short title as the "Pennsylvania Battlefields Protection Act of 1999."

TITLE I—PAOLI AND BRANDYWINE BATTLEFIELDS

Section 101 defines key terms.

Section 102(a) directs that the National Park Service conduct a special resource study on Paoli Battlefield within 6 months after funds are made available and a special resource study on Brandywine Battlefield within 18 months after funds are made available. The studies are to be conducted in consultation with the State, the borough of Malvern, the Brandywine Conservancy and other interested groups and organizations.

Subsection (b) mandates that the studies identify the full range of resources and themes including the relationship to Valley Forge National Historical Park. The various alternatives for National Park Service involvement at the two sites must include cost estimates for any acquisition, development, interpretation, operation and maintenance.

Subsection (c) directs that within 10 days of their completion, reports that describe the findings and recommendations must be submitted to the Senate Committee on Energy and Natural Resources and the House of Representatives Committee on Resources.

Subsection (d) authorizes the appropriation of funds necessary to carry out this title.

TITLE II—VALLEY FORGE NATIONAL HISTORICAL PARK

Section 201 lists Congressional findings which include the roles of the National Park Service and the Valley Forge Historical Society at Valley Forge National Historical Park. It contains a synopsis of recent discussions between the two organizations concerning a proposal for a new museum, education and visitor center. The purpose of the title is to authorize a cooperative agreement between the Secretary of the Interior and the Valley Forge National Historical Society to construct and operate a museum within the park.

Section 202 defines key terms.

Section 203(a) authorizes an agreement between the Secretary of the Interior and the Valley Forge Historical Society for the planning, construction and operation of the museum on Federal land within the park.

Subsection (b)(1) provides the specific responsibilities of the Society which include: operating the museum, in cooperation with the National Park Service; providing programs and visitor services; charging fees; conducting events; selling merchandise, tickets and food to visitors to the museum. The Society may occupy space, as specified in the agreement, with conveyance of the right, title and interest to the National Park Service. Any transfer of responsibility from the Society to any other group must be approved by the National Park Service and must be for the exhibition, preservation and interpretation of artifacts associated with the Valley Forge story and the American Revolution.

Paragraph (a) authorizes the Secretary to undertake activities at the museum, related to the management of the park, including providing visitor information, interpretive facilities and programs.

Paragraph (3) provides that the Society's revenues from the museum's facilities and services are to be used to offset the expenses of operating the museum.

Section 204 states that nothing in the title authorizes the Secretary or the Society to act in derogation of the preservation and protection of the values and resources of the park.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 7, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 581, the Pennsylvania Battlefields Protection Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 581—Pennsylvania Battlefields Protection Act of 1999

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 581 would cost the federal government between \$1 million and \$2 million over the next five years. S. 581 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. S. 581 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

Title I would direct the National Park Service (NPS) to conduct resource studies of the Paoli Battlefield and the Brandywine Battlefield. The studies would identify alternatives for agency involvement at the two sites, including estimates of any associated costs.

Title II would authorize the NPS to execute an agreement with the Valley Forge National Historical Society under which the society would construct a museum within the boundaries of the Valley Forge National Historical Park. This title would authorize the NPS to provide visitor information and interpretive facilities and programs at the museum. Although the museum would be owned by the federal government, the society would operate and maintain it with collections from fees and sales of merchandise.

Assuming appropriation of the necessary amounts, CBO estimates that the NPS would spend \$250,000 to complete resource studies of the two battlefields. We estimate that the agency would spend an additional \$0.5 million to \$1 million to execute the agreement with the Valley Forge National Historical Society and provide interpretive materials for the museum. These estimates are based on information provided by the NPS.

The CBO staff contact is Deborah Reis. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 581. The bill is not a regulatory measure in the sense of imposing Government-established standards of significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from enactment of S. 581, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 25, 1999, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on S. 581. These reports had not been received at the time the report on S. 581 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony

provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF KATHERINE STEVENSON, ASSOCIATE DIRECTOR, CULTURAL RESOURCES STEWARDSHIP AND PARTNERSHIPS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before this subcommittee to present the views of the Department of the Interior on S. 581, a bill that addresses the protection and preservation of key resources of the Revolutionary War in the Commonwealth of Pennsylvania. The Department supports enactment of S. 581 if amended to clarify that Federal funds would be authorized to support land acquisition only and not ongoing operations.

Title 1 of this bill authorizes the Secretary of the Interior to provide up to \$2.5 million to the borough of Malvern, Pennsylvania, for the protection and preservation of the area known as the Paoli Battlefield. It also authorizes up to \$3.0 million to the Commonwealth of Pennsylvania, a political subdivision of the commonwealth, or the Brandywine Conservancy, for the protection and preservation of land in an area generally known as the Meetinghouse Road Corridor.

The bill further authorizes the Secretary to enter into cooperative agreements for the preservation, interpretation and management of battlefield resources. All the funds provided by the Secretary are to be matched dollar for dollar by funds contributed by non-federal sources. The Secretary is directed to conduct a study of the full range of the resources and historic themes associated with the Paoli Battlefield and the Brandywine Battlefield and their relationship to the Valley Forge National Historical Park, and to identify alternatives for future National Park Service involvement at the sites, along with cost estimates for such alternatives.

In Title 2 of S. 581, the Secretary is authorized to enter into an agreement, under appropriate terms and conditions, with the Valley Forge Historical Society to construct the Valley Forge Museum of the American Revolution on park property. If the Secretary were to enter into such an agreement with the Historical Society, the facility would be planned, developed and operated jointly with the Valley Forge National Historical Park. The bill specifically provides that the revenues from the museum's facilities and services are to be retained and used to offset the expenses of the museum's operation. Such an agreement would also authorize the Society, as a non-profit organization, to engage in appropriate museum operations including charging fees, conducting events, and selling merchandise, tickets and food to visitors of the museum.

The Philadelphia Campaign, crucial to the outcome of the war for independence, forever linked Paoli Battlefield, Brandywine Battlefield, and Valley Forge. The Philadel-

phia Campaign is one of the most critical chapters in the Revolutionary War. It commenced in the late summer of 1777 when the British main forces were moved from New York to Philadelphia in an attempt to capture the capital of the United States and, in the process, engage and destroy the Continental forces under the command of George Washington. Washington chose the hilly terrain along the Brandywine River as the location to mount the defense against the land attack on the capital while the Delaware River approach was heroically defended by a small contingent of troops at Fort Mifflin. The battle at Brandywine on September 11, 1777, was the largest battle of the war. The British, boasting a force of over 18,000 met General Washington's 12,500 unseasoned troops. Washington's army could have been totally destroyed. Yet, while Washington's forces were not successful in repelling the invasion, the Americans demonstrated the ability to engage the British Army and remain a viable fighting force.

A week later, Washington ordered Anthony Wayne's brigade of approximately 2,000 to get behind the British army and harass its supply train. Wayne delayed 2 days, only to be surprised on September 20, by a bayonet attack by night by a highly professional but smaller force of about 1,200. The result was a rout, and the death of at least 53 Americans with over 150 wounded and 71 captured. The bodies of the American dead were left on the field, to be buried by local farmers in a mass grave at the edge of the battlefield, where they remain today. This seemingly minor encounter—swiftly known as The Paoli Massacre—was viewed by both sides as an atrocity and would serve to heighten the resolve of the American forces.

American fortune never seemed lower. By September 22, Philadelphia's fate was sealed. When the British under General Cornwallis entered Philadelphia on September 26, the Continental Congress had already fled. Washington made one more attempt to regain the city, only to lose at Germantown.

By the end of the season, Washington and his troops withdrew to their now famous winter encampment at Valley Forge. At this strategic location, the Americans both endured unspeakable hardship and at the same time reformed and emerged the next year a renewed and reinvigorated fighting force. This story of resolve and rebirth is a fundamental part of the American character, a crucible not only of an army, but also of a people.

This is an important story, and the threatened sites of Brandywine and Paoli should not be lost. The proposed partnership among state and local governments and non-profit organizations with the federal government is the best available means of protecting these important resources.

The need for a protection strategy for Brandywine and Paoli

Although the NPS has not conducted a special resources study that would enable us to consider NPS protection, it is clear that the Paoli Battlefield and the Brandywine Battlefield are in immediate jeopardy. Both are subject to intense development pressure, and without prompt action the remaining open vistas and historic landscapes will be lost. This bill provides the additional tools needed by the National Park Service to work with the partners who have stepped forward to offer their assistance and cooperative funding. The authorization of matching land acquisition funding by the National Park Service, ownership and management by the partners, and the ability to enter into cooperative agreements and to provide technical assistance to the state and local governments and non-profit groups, will ensure that there are alternatives for landowners to consider before selling their land. We recommend amending the bill to clarify that Federal appropriations would be for land acquisition only and would be subject to the availability of funds and NPS national priorities. In addition, the amounts authorized for Federal appropriations for the Paoli Battlefield should be reduced. They currently reflect the total cost of acquisition and not the Federal-half that would be matched.

The national significance of the Brandywine Battlefield was formally recognized by the federal government in 1961 when it was designated a National Historic Landmark by the Secretary of Interior. The battlefield is a large area that ranges over two counties and a number of townships. It includes the Brandywine Battlefield State Park unit, but the vast majority of the resource is privately held. This pastoral landscape along the banks of the Brandywine River is renowned not only for its Revolutionary War history but the landscape paintings of Andrew Wyeth, who has lived his entire life in this area.

The agricultural lands that are so essential to the battlefield, lands that have been farmed for over three hundred years, are not threatened by suburban growth. The Department of the Interior has included the battlefield in its Report to Congress on Threatened National Historic Landmarks for the past seven years due to the development activity that is occurring. Fortunately it is not too late to save the critical heart of the Brandywine Battlefield where the key military events unfolded in September of 1777.

Over the past decade there has been an exemplary planning effort that has involved all of the local, state and federal government entities as well as conservation organizations and other private interests who have been brought together to pursue their common purpose of preserving the battlefield for posterity. This planning effort has produced accurate and reliable maps that document the critical zones of battle. This information has been used to analyze the current ownership and to produce a priority list of tracts that must be protected if the battlefield is to be pre-

served. Most of the land under this plan would be protected by easement which will allow it to remain in agricultural use as it has since before the battle.

The Paoli battlefield is also threatened, and could be developed in this calendar year. The entire battlefield is currently intact, and in fact continues in its original use as a cornfield. The borough of Malvern has agreed to hold and manage the 40-acre site, and patriotic and veterans organizations are confident they will be able to provide the matching funds for acquisition with a partnership commitment from the NPS.

The National Park Service supports the need for a study to evaluate the various alternatives for the future of these battlefields, their connection with Valley Forge NHP, and the role that the Park Service could play in the long-term preservation of these resources. It has been suggested that such a study may lead to a proposal for an affiliated status of Paoli and Brandywine with the Valley Forge National Historical Park, rather than a proposal for new units of the park system. Such a study has never been done, and the feasibility for these sites to be jointly or cooperatively interpreted remains to be fully considered. The National Park Service, in accordance with the National Parks Omnibus Management Act of 1998, has placed the Brandywine and Paoli battlefields on our list of areas we are asking Congress to authorize the NPS to study for possible inclusion with the National Park System. Congress would achieve the same purpose by enacting the study provision of this legislation.

Partnership opportunity with the Valley Forge Historical Society

When Valley Forge National Historical Park was established in 1976 it inherited from the Commonwealth of Pennsylvania a visitor center/museum that, although new, was poorly designed. It is not visitor friendly. The visitor must walk more than 300 yards from the parking lot to the visitor center and then must go up a flight of stairs and outside to the auditorium, next door, to see the park orientation film. The office space is inadequate and the structure fails to provide enough environmentally safe and secure space to house the historic collections acquired when the park was transferred to the federal government, let alone those items acquired in the 23 years since becoming a national park. As a result, the collections are stored in 18th to mid-20th century structures, in various locations that do not or cannot achieve an environment conducive to preservation. In addition, there is no available area within the park that can be established for scholarly research of these collections.

From the beginning, the national park recognized the role that the Washington Memorial Chapel and the Valley Forge Historical Society played in memorializing Valley Forge. Since 1990 the museum has been housed in a wing

adjacent to the chapel. When constructed, there was no true understanding of the space and environment needed to preserve, display and provide for the scholarly research of a collection. In addition, the chapel has experienced growth in its congregation, but is limited in its ability to enlarge.

Today, the historical society is faced with an opportunity and a dilemma. In accordance with an agreement reached in June of 1998 by the society and the chapel, the historical society is required to construct a new headquarters and facility to display and interpret its outstanding collection. In a space of four and a half years, the society must select a site, raise the necessary funds, and build the facility.

Although the society has the option of building on its own land adjacent to the heart of the park, the National Park Service believes a substantial development at this location would not be in the best interest of the purposes of the Valley Forge National Historical Park. We support Title 2 of this legislation because it gives us the opportunity to find a solution that will avoid an inappropriate development. It will also enhance the visitor experience, by housing the society's outstanding collection and the park's collection in the same facility, and by developing in a public/private partnership a first-class facility better than either the society or the service might be able to do it on its own. The facility could be appropriately placed within the planned development zone at the entrance of the park. An unfortunate third alternative would be avoided, of the Society developing its facility at some distance from the park, losing all opportunity for shared energy and combined resources and collections this legislation envisions.

Knowing the inadequacies of both the park's and the society's facilities, along with the intertwined mission both the service and the society have in presenting the story of the Valley Forge winter encampment of 1777-1778, the organizations entered into discussions in 1977 to evaluate the construction of a joint facility. Such a facility would meet the needs of both organizations, provide quality space for the collections to be housed within it, and most importantly, directly serve the visitor's understanding of the role Valley Forge played in the winning of our country's independence and defining our national character.

This legislation is needed to permit the revenues of the proposed museum operation and related activities to offset operating and management expenses. It will allow Valley Forge Historical Society to charge fees, rent space for events, and sell merchandise and food within the museum building, a structure owned by the National Park Service and operated jointly by the Valley Forge Historical Society and the National Park Service. The funds generated by these activities will be used to defray ongoing costs of operations, maintenance and repair of the building and exhibits, and for the periodic replacement, improvement and

modification of the exhibits and building. This legislation does not authorize, or would we support, the use of Federal funds to construct this facility.

The National Park Service supports the authorization to enter into an agreement with the historical society that will allow both parties to achieve our mutual goals for Valley Forge. We have some technical amendments we would like to present to the committee to insure that the correct map references are noted in the bill.

This concludes my prepared remarks. I would be pleased to answer any questions that you may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 581, as ordered reported.

